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18          *Attorneys for Halverson Mechanical, Inc.*

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20          **UNITED STATES DISTRICT COURT**  
21          **DISTRICT OF NEVADA**

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22  
23          The UNITED STATES OF AMERICA  
24          for the use and benefit of  
25          HALVERSON MECHANICAL, INC.;  
26          HALVERSON MECHANICAL, INC., a  
27          Utah corporation,

28          Plaintiffs,

1          vs.

2          DAVID BOLAND, INC., a Florida  
3          corporation; TRAVELERS  
4          CASUALTY AND SURETY COMPANY  
5          OF AMERICA, a Connecticut  
6          corporation,

7          Defendants.

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9          **STIPULATED MOTION TO EXTEND**  
10         **DISCOVERY DEADLINES**  
11         **(First Request)**

12  
13          Case No. 2:09-cv-01682-LRH-GWF

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15          Magistrate Judge George Foley,  
16          Jr.

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18          Judge Larry R. Hicks

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20          COMES NOW Plaintiff Halverson Mechanical, Inc. (hereinafter "Halverson Mechanical"),  
21          by and through counsel of record, Dana T. Farmer of the law firm of Smith Knowles, P.C., and  
22          Defendants David Boland, Inc. (hereinafter "David Boland") and Travelers Casualty and Surety

1 Company of America, by and through counsel of record, Ryan E. Johnson of the law firm of  
2 Watson Rounds, and hereby stipulate and jointly move the Court for an order extending the  
3 discovery deadlines set forth in the parties' Stipulated Discovery Plan and Proposed Scheduling  
4 Order.<sup>1</sup>

5 Specifically, the parties respectfully request a three-month extension to following  
6 discovery deadlines: (1) fact discovery; (2) expert witness identification; (3) expert witness  
7 reports; and (4) rebuttal expert witness identification and reports. Accordingly, fact discovery  
8 would conclude, with all written discovery answered, on or before March 31, 2010. Expert  
9 witnesses, if any, would be identified on or before May 28, 2011. Expert witness reports would be  
10 due on or before May 28, 2011. Finally, either party may identify an expert for purposes of  
11 rebuttal and file a report for said expert, regardless of whether the party identified a primary expert  
12 and submitted a report for that expert. Such rebuttal expert and report would be designated and  
13 filed no later than July 30, 2011.

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15 The discovery completed to date includes a request made by Halverson Mechanical to the  
16 United States Army Corps of Engineers (hereinafter "Army Corps") pursuant to the Freedom of  
17 Information Act for certain documentation. This request was made on April 8, 2010. The  
18 documents requested were necessary to enable Halverson Mechanical to provide David Boland  
19 with a calculation of the amount of damages Halverson Mechanical is claiming as a result of  
20 certain delays on the construction project at issue in this case.

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22 David Boland initially contacted the Army Corps to object to the disclosure of the  
23 requested documents on the grounds that the requested documentation was confidential and  
24 propriety business information but withdrew its objection in late August after discussions between  
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28 <sup>1</sup> The Court Docket does not indicate that the Court signed or otherwise entered  
the Stipulated Discovery Plan and Proposed Scheduling Order, which was filed  
with the Court on March 2, 2010, as the governing scheduling order in this  
case.

1 counsel. The Army Corps did not provide Halverson Mechanical with the requested  
2 documentation until September 7, 2010. As a result of this delay, the parties' mediation, which  
3 was originally scheduled to begin on June 16, 2010, has been rescheduled for November 2, 2010  
4 in order to allow Halverson Mechanical additional time to develop its claim and provide additional  
5 information to David Boland.

6 If the mediation does not result in a resolution of the claims asserted in this case, it is  
7 anticipated that the parties will conduct oral depositions and propound written discovery requests  
8 in the form of admissions, interrogatories, and requests for production of documents.  
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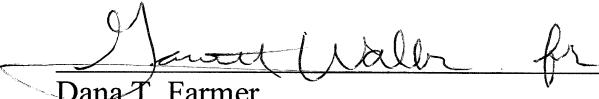
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1 Since it would be difficult, if not impossible, for the parties to complete fact discovery as  
2 proposed in the parties' Stipulated Discovery Plan and Proposed Scheduling Order due to the  
3 delay in receiving the documents requested by Halverson Mechanical from the Army Corps, the  
4 parties respectfully request that the discovery deadlines be extended as set forth above.

5 DATED this 16<sup>th</sup> day of September, 2010.  
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7 **SMITH KNOWLES, P.C.**

8   
9 Dana T. Farmer  
10 Attorneys for Halverson Mechanical, Inc.

11 DATED this 16<sup>th</sup> day of September, 2010.  
12

13 **WATSON ROUNDS**

14 \_\_\_\_\_ /s/ \_\_\_\_\_  
15 Ryan E. Johnson  
16 Attorneys for David Boland, Inc. and Travelers Casualty and  
17 Surety Company of America

18 **IT IS SO ORDERED:**  
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21 Judge George Foley, Jr.  
22 United States Magistrate Judge

23 DATED: September 20, 2010  
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